

Remarks/Arguments:

Claim Rejection Under 35 U.S.C. §112

Claim 3 stands rejected under 35 U.S.C. §112, second paragraph, as indefinite based on the claim language "as set forth in the preceding claim" being unclear. Applicant respectfully submits that claim 3 is now clear and concise and respectfully requests withdrawal of this rejection.

Claim Rejections Under 35 U.S.C. §102

Claims 1-9 stand rejected under 35 U.S.C. §102(b) as anticipated by German Publication DE 200 11 530 U1 (the '530 document). Applicant respectfully traverses these rejections.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." M.P.E.P. §2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claim 1 recites "[a] roller for the thermomechanical treatment of a web-shaped medium, said roller including: a roller body; axial bores for a thermal treatment fluid which are incorporated in said roller body near to an outer surface of the roller body and into which said thermal treatment fluid flows on an inflow side; inflow zones, formed on said inflow side in the upstream ends of said bores or in feed channels through which the thermal treatment fluid flows into the bores, each inflow zone extending in a flow direction over at most up to 20% of an overall length of the respective bore; and directing or guiding means provided in said inflow zones, which transfer a rotational movement of said roller onto the thermal treatment fluid, said directing or guiding means extending only over the length of the respective inflow zone, . . ." Applicant respectfully submits that none of the cited references, either alone or in any reasonable combination, teaches or suggests inflow zones extending in a flow direction over at most up to 20% of an overall length of the respective bores and a directing or guiding means provided in said inflow zones, which transfer a rotational movement of said roller onto the thermal treatment fluid, with the directing or guiding means extending only over the length of the respective inflow zone.

Referring to Figures 2 and 3 of the '530 document, the structures 5 within the bores 4 extend the length thereof to define at least two flow channels 10 and 11. The purpose of the device in the '530 document is to cause the fluid to flow the length of the bore 4 in both directions, as shown in Fig. 3, to equalize the temperature of the fluid. The full length structures 5 are more complicated, more expensive and do not act to transfer the rotational movement of the roller onto the thermal treatment fluid. Instead, the structures 5 simply define the boundaries of the flow channels 10 and 11 and the fluid flows through such channels in the same manner, and with the same deficiencies, as fluid flowing through an unmodified bore. The '530 document does not anticipate the claimed invention as it does not teach or suggest inflow zones extending in a flow direction over at most up to 20% of an overall length of the respective bores and a directing or guiding means provided in said inflow zones which extend only over the length of the respective inflow zone and which transfer a rotational movement of the roller onto the thermal treatment fluid.

Furthermore, it would be improper to modify the device described in '530 document to render the claimed invention obvious. As set forth in M.P.E.P. §2143.01 (V.), "[i]f the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." The intended purpose of the device in the '530 document is to cause the fluid to flow the length of the bore 4 in both directions to equalize the temperature of the fluid. Any modification of the device of the '530 document to arrive at the claimed invention would render the '530 device unsatisfactory for its intended purpose.

It is respectfully submitted that independent claim 1 is in condition for allowance. Claims 2-9 each depend from claim 1, and therefore, are each allowable for at least the reasons set forth above.

It is respectfully submitted that each of the pending claims is in condition for allowance. Early reconsideration and allowance of each of the pending claims are respectfully requested.

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Reply to Office Action of October 13, 2005

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If the Examiner believes an interview, either personal or telephonic, will advance the prosecution of this matter, it is respectfully requested that the Examiner contact the undersigned to arrange the same.

Respectfully submitted,


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